

Age-Appropriate Consultation

DPHHS, CFSD, METNET
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- ***Powerpoint & Developmental Milestones Handout from the National Resource Center on Family Centered Practice & Permanency Planning are available on the DPHHS Website at: <http://www.dphhs.mt.gov/cfsd/>***
- ***Click on Related Links, then Age-Appropriate Consultation.***



New Requirement:



- ***In the permanency hearing, the court or Foster Care Review Committee shall consult, in an age-appropriate manner, with the child regarding the proposed permanency or transition plan for the child.***
- Consultation must be documented in initial and subsequent permanency hearing orders.
- *“Giving a Voice to the Voiceless – Enhancing Youth Participation in Court Proceedings”, Miriam Aroni Krinsky and Jennifer Rodriguez,
<http://www.abanet.org/child/adolescent-8.pdf>*

Permanency Options:



Adoption & Safe Families Act:

- Reunification
- Adoption
- Guardianship
- Permanent placement with a relative
- Planned permanent living arrangement

****Options are listed in order of preference.***

Permanency...



Permanency includes a permanent, long-term placement, but it also includes:

- maintaining life-long relationships with family and friends
- maintaining cultural heritage and connections
- planning for the child's long-term goals and future
- a place to call “home”

Preparation...



- Explain attorney & judge's roles
- Explain court procedures
- Explain expectations of child
- Review case information – be honest, no surprises
- Speak in child-friendly manner – avoid jargon & acronyms
- Allow enough time for child to process information and ask questions

Age-Appropriate?



- Federal Guidance: it is up to the State, thus the Court, to determine what “age-appropriate” means relative to an individual child.
- Age-appropriate generally means meeting the cognitive level of a child for their developmental age.
- Exceptions: developmentally delayed children must be met at their current developmental level, rather than at the developmental level for their age.

Age Appropriate Consultation...



INFANTS (0 – 18 months)

Developmental Considerations:

- ✓ Nonverbal
- ✓ Need constant adult supervision
- ✓ Primary goal is to bond and attach to caregiver, build trust

Permanency Observations:

- ✓ Is the child secure with the caregiver? (prefers caregiver to others, cries with strangers, etc.)
- ✓ Is the child meeting developmental milestones? (rolling over, sitting up, crawling, talking, walking, etc.)
- ✓ Does the child appear healthy and well-taken care of?
- ✓ Ask caregivers how the child is bonding, developing, etc.

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TODDLERS (18 months – 3 years)

Developmental considerations:

- ✓ Physically active, developing independence from caregiver
- ✓ Limited vocabulary and communication skills (pronouns – he/she; prepositions – in, on, off, out)
- ✓ Concept of time is limited (yesterday, last week, next month, this year)
- ✓ Egocentric and concrete – take everything literally, limited ability to reflect on others' experiences, may believe that adults should already know how they feel
- ✓ Difficulty expressing self – may have to explore with successive questions

Age Appropriate Consultation...



TODDLERS (18 months – 3 years)

Permanency Questions:

- ✓ Keep language simple: Do you like your home? What do you like (not like) about your home? (may need to suggest options like “your bedroom?”, “your pets?”, “people who live with you”, etc.)
- ✓ Do you get to see your mommy or daddy? Do you like seeing them? Do you feel sad or miss anyone? (may need to suggest, “sister”, “brother”, “grandma”, etc.)

Permanency Observations:

- ✓ Does the child explore their environment but return periodically to their caregiver?
- ✓ Is the child secure with the caregiver? Do they look to their caregiver for help in answering the questions?

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PRE-SCHOOL (3 – 6 years)

Developmental considerations:

- ✓ Continued development of independence from caregiver
- ✓ Learning to distinguish between reality and fantasy, real and pretend
- ✓ Increase in ability to understand language, however, speech is less developed
- ✓ Concept of time remains limited as does ability to sequence events (before/after)
- ✓ Begin to recognize and respond to others' feelings and experiences although they remain fairly egocentric

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PRE-SCHOOL (3 – 6 years)

Permanency Questions:

- ✓ Keep language simple: Do you like your home? What do you like (not like) about your home?
- ✓ Where do you want to live? (may need to clarify between with mom, with grandma, with foster parent, etc.)
- ✓ Do you get to see your mommy or daddy? Do you like seeing them? What kinds of things do you do together?

Permanency Observations:

- ✓ Is the child secure with the caregiver? Do they look to their caregiver for help in answering the questions?
- ✓ What is the child's demeanor in answering the questions – are they scared, anxious, avoidant? Do they look to the caregiver for the “right” answer? Are they excessively afraid?
- ✓ Observe child's interactions with caregivers, birth parents, grandparents, etc.

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SCHOOL-AGE CHILDREN (7 – 9 years)

Developmental considerations:

- ✓ Increased ability to interact with peers, increasingly defines self through peers
- ✓ Developing and testing values and beliefs
- ✓ Logical thinking is developing; may question concepts, rather than accepting them as true
- ✓ Concept of time and the passage of time is much improved

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SCHOOL-AGE CHILDREN (7 – 9 years)

Permanency Questions:

- ✓ Where do you want to live? Where is your home? What do you like (not like) about your home or who you live with? Where do you wish you lived?
- ✓ Do you know why you live away from your mom or dad? Do you get to see your mom or dad? How often? How do these visits go?
- ✓ Are there family or friends that you want to see or miss?

Permanency Observations:

- ✓ Observe child's demeanor in answering the questions – are they scared, anxious, avoidant? Do they look to the caregiver for the “right” answer? Are they excessively afraid? Are they comfortable expressing their wishes?
- ✓ Observe child's interactions with caregivers, birth parents, grandparents, etc. Does the child show preference for one or the other?

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EARLY ADOLESCENCE (10 – 12 years)

Developmental considerations:

- ✓ Increased ability to interact with peers, strong group identity
- ✓ Developing and testing values and beliefs
- ✓ Increased ability to learn and apply skills and understand abstract concepts
- ✓ Begin to see the world as less black and white or right and wrong
- ✓ Ability to recognize cause and effect

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EARLY ADOLESCENCE (10 – 12 years)

Permanency Questions:

- ✓ Where do you want to live? Where do you wish you lived? Do you know why you can't live with your birth mom or dad? Do you know what adoption is? Do you want to be adopted?
- ✓ Do you get to see your birth mom or dad? How often? Do you wish you could see them more or less? How do you feel about your birth mom or dad?
- ✓ Are there family or friends that you want to see or miss?

Permanency Observations:

- ✓ Observe child's demeanor in answering the questions – are they scared, anxious, avoidant? Do they look to the caregiver for the “right” answer? Are they excessively afraid? Are they comfortable expressing their wishes?
- ✓ Observe child's interactions with caregivers, birth parents, grandparents, etc.

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MIDDLE ADOLESCENCE (13 – 17 years)

Developmental considerations:

- ✓ Strong peer alliance, individuating from family, may be conflicted with adult caregivers
- ✓ Struggling with sense of identity, defining and testing their own values and beliefs
- ✓ May exhibit mood changes, risk-taking, experimentation
- ✓ Ability to understand and apply abstract concepts although concrete thinking may emerge as a part of developing identity
- ✓ Self-absorbed, world revolves around them

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MIDDLE ADOLESCENCE (13 – 17 years)

Permanency Questions:

- ✓ Where do you want to live? Where do you wish you lived? Do you know why you can't live with your birth mom or dad? Do you want to be adopted?
- ✓ Do you get to see your birth mom or dad? How often? Do you wish you could see them more or less? How do you feel about your birth mom or dad?
- ✓ Who is important to you in your life? Who do you call family? Do you have enough contact with these people? Do you miss family members or friends that you don't see much?
- ✓ What are your plans for your future? Do you know how to reach your goals? Who can assist you? Do you have an adult mentor?

Permanency Observations:

- ✓ Observe youth's demeanor in answering the questions – are they reluctant to choose one placement over another?
- ✓ Remember that older youth are individuating as a part of their development and therefore may express ambivalence about living with any adult.

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LATE ADOLESCENCE (18 – 21 years)

Developmental Considerations:

- ✓ Typically more receptive to adult advice
- ✓ Increased ability to use insight
- ✓ Ability to think abstractly
- ✓ Tend to be idealistic

Permanency Questions:

- ✓ Which adults are you most connected to in your life? Who are your supports? Who would you rely on if you needed help?
- ✓ What are your plans for the future? Do you have a job? Are you planning to go to college? What are your long-term goals?
- ✓ If you plan on living on your own, what means do you have to do so? Are you prepared for the costs and responsibility associated with this?

Questions & Statements to avoid...



- “Do you like your foster mom or your birth mom better?” ~ Places the child in a loyalty bind – may feel pressured to choose.
- “You need to choose where you want to live.” ~ Places too much pressure on the child, and the decision is ultimately made by others.
- “You should be happy to be in a better place.” ~ No matter how bad the abuse or neglect was, most children want to be with their birth parents.
- “Do you want to go back home?” ~ Child may have experienced several placements and may be unsure where “home” is.

Order Requirements



- Permanency orders should have documented, in writing, that the court or Foster Care Review Committee consulted with the child during the permanency hearing.

Order Examples...



- ✓ The Foster Care Review Committee consulted with JW who attended the review and stated his wishes about the permanency plan. JW stated that he does not want to return to his birth mother's care but would like to live with his birth father.
- ✓ During the hearing, the GAL reported the wishes of RB regarding the proposed permanency plan after consulting with the child in an age-appropriate manner. RB's wishes are to return home to his parent's care. RB stated that he does not want to be adopted.
- ✓ During the hearing the Court consulted with CL in an age-appropriate manner regarding the proposed permanency plan. CL is 3 years old and was unable to directly answer questions about her wishes. The court observed CL exhibit preference for her maternal Aunt over her birth mother and gathered from the CL's demeanor that she has bonded with her maternal Aunt.
- ✓ The court was unable to consult with ST regarding the proposed permanency plan because ST is 8 months old and is unable to communicate her wishes.



QUESTIONS?